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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/724,582	05/01/2004	Patricia Guajardo		9861
7590	06/01/2005		EXAMINER	
PATRICIA GUAJARDO 105 SUGAR TREE LANE BROWNSVILLE, TX 78520			JOHNSON, JERROLD D	
		ART UNIT	PAPER NUMBER	
		3728		

DATE MAILED: 06/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/724,582	GUAJARDO, PATRICIA
	Examiner Jerrold Johnson	Art Unit 3728

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### **Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on 05 January 2004.

2a)  This action is **FINAL**.                            2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## **Disposition of Claims**

4)  Claim(s) 1 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5)  Claim(s) \_\_\_\_\_ is/are allowed.  
6)  Claim(s) 1 is/are rejected.  
7)  Claim(s) \_\_\_\_\_ is/are objected to.  
8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on \_\_\_\_\_ is/are: a)  accepted or b)  objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All . b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)  Notice of References Cited (PTO-892)  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3)  Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_

4)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_ .

5)  Notice of Informal Patent Application (PTO-152)

6)  Other: \_\_\_\_\_ .

**DETAILED ACTION**

Claim 1 is rejected as failing to define the invention in the manner required by 35 U.S.C. 112, second paragraph.

The claim(s) are narrative in form and replete with indefinite and functional or operational language. The structure which goes to make up the device must be clearly and positively specified. The structure must be organized and correlated in such a manner as to present a complete operative device. The claim(s) must be in one sentence form only. Note the format of the claims in the patent(s) cited.

The following claims 1-5 have been drafted by the examiner and considered to distinguish patentably over the art of record in this application, and are presented to applicant for consideration:

1. In combination,

a christmas tree light strand;

and,

a frame insert within which the Christmas tree light strand is disposed, the frame insert comprising:

a first side, a second side, a third side and a fourth side, the four sides of the frame defining a perimeter; the first and second sides being disposed opposite to each other, the first and second sides both further

being disposed intermediate the third and fourth sides; the third and sides being disposed opposite to each other, the third and fourth, sides both further being disposed intermediate the first and second sides; the third and fourth sides being generally parallel to each other;

a plurality of hooks disposed on both the third and fourth sides, each hook being coupled to one of the third or fourth sides and having a free end being disposed inwardly of the third or fourth sides within the perimeter of the frame;

the strand of Christmas lights being disposed on the plurality of hooks entirely within the perimeter of the frame insert in a generally zig-zag orientation between the third and fourth sides.

2. The combination of claim 1, further comprising a storage box adapted to receive at least one frame inset therewithin.

3. The combination of claim 2, wherein:

the frame insert further comprises two spaced apart loops disposed in one of the first and second sides; and

the storage box includes two spaced apart rods adapted to receive the spaced apart loops of the frame.

4. The combination of claim 2, wherein the storage box further includes a lid.

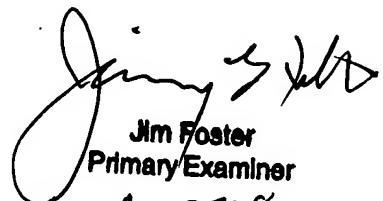
5. The combination of claim 2, wherein the storage box is sized to receive up to ten frame inserts.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jerrold Johnson whose telephone number is 571-272-7141. The Examiner can normally be reached on 9:30 to 6:00 M-F. Please consider the proposed claims and telephone the Examiner at the phone number listed above. The Examiner cannot act on this matter until contacted by the Applicant. The Applicant is given 3 months to respond to this Office Action, but the Examiner recommends that the contact be made much sooner, so as to avoid any possibility of missing the deadline.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mickey Yu can be reached on 571-272-4562. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JDJ 



Jim Foster  
Primary Examiner  
Art 3728